

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2004 Legislative Session

Legislative Day No. **10**

Bill No. 54-2004

Introduced by: The Chairman at the request of the County Executive

AN ACT adopting the 2003 edition of the National Standard Plumbing Code Illustrated as the Plumbing and Gasfitting Code for Howard County in order to protect the public health and safety by setting forth criteria for the design and installation of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting code; setting forth penalties for violations of the Plumbing and Gasfitting Code; and generally relating to the Plumbing and Gasfitting Code for Howard County.

Introduced and read first time _____, 2004. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2004.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2004 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2004 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved by the County Executive _____, 2004

James N. Robey, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that
2 Sections 3.300 “Purpose”, 3.301 “General Provisions”, 3.302 “Adoption of plumbing
3 and gasfitting code”, 3.303 “Administration and enforcement”, 3.304 “Licenses”, 3.305
4 “Permits”, 3.306 “Plumbing advisory board”, 3.307 “Enforcement”, 3.308 “Appeals”,
5 and 3.309 “Severability” of Subtitle 3 “Plumbing and Gasfitting Regulations” of Title 3
6 “Buildings” of the Howard County Code are hereby repealed.

7
8 **Section 2. *Be It Enacted*** by the County Council of Howard County, Maryland, that
9 Sections 3.300 “Purpose”, 3.301 “General Provisions”, 3.302 “Adoption of plumbing
10 and gasfitting code”, 3.303 “Administration and enforcement”, 3.304 “On-Site Utility
11 Contractor’s License”, 3.305 “Permits”, 3.306 “Plumbing advisory board”, and 3.307
12 “Severability” of are added to Subtitle 3 “Plumbing and Gasfitting Regulations” of Title
13 3 “Buildings” of the Howard County Code as follows:

14 15 **TITLE 3. BUILDINGS**

16 **SUBTITLE 3. PLUMBING AND GASFITTING REGULATIONS**

17 **SEC. 3.300. PURPOSE**

18 THE PURPOSE OF THIS SUBTITLE IS TO PROTECT PUBLIC HEALTH
19 AND SAFETY BY PROVIDING CRITERIA FOR PRACTICES AND
20 PERFORMANCE IN THE PROPER DESIGN AND INSTALLATION OF PLUMBING
21 AND GASFITTING SYSTEMS.

22 23 **SEC. 3.301. GENERAL PROVISIONS.**

24 (A) *PLUMBING AND GASFITTING CODE.* THERE IS A HOWARD COUNTY
25 PLUMBING AND GASFITTING CODE, ADOPTED AT SECTION 3.302 OF
26 THIS SUBTITLE. ALL PLUMBING, GASFITTING, AND ON-SITE UTILITY
27 WORK PERFORMED IN HOWARD COUNTY SHALL CONFORM TO THE
28 PROVISIONS OF THE HOWARD COUNTY PLUMBING AND GASFITTING
29 CODE.

30 (B) *DEFINITION OF TERMS.* ALL TERMS SHALL BE AS DEFINED IN THE
31 HOWARD COUNTY PLUMBING AND GASFITTING CODE.

1 (C) *INTENT.* THE INTENT OF ACTIONS TAKEN PURSUANT TO THIS
2 SUBTITLE ARE PURELY GOVERNMENTAL IN NATURE, ARE
3 CONDUCTED SOLELY FOR THE PUBLIC BENEFIT, AND ARE NOT TO
4 BE CONSTRUED AS A WARRANTY OF DESIGN OR CONSTRUCTION TO
5 ANY PERSON

6 (D) *HOMEOWNERS' RIGHT TO CONDUCT PLUMBING WORK.* NOT
7 WITHSTANDING ANY OTHER PROVISION IN THIS SUBTITLE, A
8 PERMIT IS NOT REQUIRED FOR A HOMEOWNER WHO PERSONALLY
9 PROVIDES PLUMBING WORK IN THEIR OWN RESIDENCE IN THE
10 FOLLOWING INSTANCES:

- 11 (1) FOR ANY PLUMBING WORK LISTED IN SUBSECTIONS
12 3.305(A)(1) AND (2);
- 13 (2) EXCEPT FOR MAKING A FINAL CONNECTION BETWEEN THE
14 HOMEOWNER'S RESIDENCE AND A PUBLIC OR PRIVATE
15 DISPOSAL SYSTEM OR WATER SUPPLY SYSTEM, THE
16 INSTALLATION, MAINTENANCE, EXTENSION, ALTERATION, OR
17 REMOVAL OF PIPING, A PLUMBING FIXTURE, A PLUMBING
18 APPLIANCE, A PLUMBING APPURTENANCE, OR OTHER
19 PLUMBING APPARATUS IS EXCEMPT FROM THIS SUBSECTION
20 IF THE HOMEOWNER PROVIDES HOWARD COUNTY WITH
21 WRITTEN NOTIFICATION DESCRIBING THE WORK TO BE
22 CONDUCTED, ACKNOWLEDGING THAT THE WORK MUST
23 MEET THE REQUIREMENTS OF THE PLUMBING AND
24 GASFITTING CODE, AND GRANTING PERMISSION TO INSPECT
25 SUCH WORK; AND
- 26 (3) THE INSTALLATION, ALTERATION, REPAIR, OR MAINTENANCE
27 OF AN EXTERIOR ROOF DRAIN, GUTTER, DOWNSPOUT, OR
28 RAIN LEADER.

29
30 **SEC. 3.302. ADOPTION OF PLUMBING AND GASFITTING CODE.**

31 (A) *ADOPTION OF NATIONAL CODES AS COUNTY CODE.* THE 2003 EDITION

1 OF THE NATIONAL STANDARD PLUMBING CODE ILLUSTRATED,
2 PUBLISHED BY THE PLUMBING-HEATING-COOLING CONTRACTORS-
3 NATIONAL ASSOCIATION, AS MODIFIED BY LOCAL AMENDMENTS,
4 AND THE NATIONAL FUEL GAS CODE (NFPA 54- 2002) ANSI Z223.1-
5 2002, PUBLISHED BY THE NATIONAL FIRE PROTECTION
6 ASSOCIATION ARE ADOPTED AS THE PLUMBING AND GASFITTING
7 CODE FOR HOWARD COUNTY AS IF THE NATIONAL STANDARD
8 PLUMBING CODE ILLUSTRATED AND THE NATIONAL FUEL GAS
9 CODE WERE SET OUT IN FULL IN THIS SUBTITLE.

10 (B) *LOCAL AMENDMENTS TO THE NATIONAL STANDARD PLUMBING CODE.*

11 THE FOLLOWING LOCAL AMENDMENTS MODIFY CERTAIN
12 PROVISIONS OF THE NATIONAL STANDARD PLUMBING CODE
13 ILLUSTRATED:

14 (1) **SUBSECTION ADM 1.4.6 MOVED BUILDINGS OR**
15 **STRUCTURES.**

16 AT THE END OF THIS SUBSECTION, ~~ADD~~ INSERT THE
17 FOLLOWING:

18 AN INDUSTRIALIZED STRUCTURE APPROVED BY THE STATE
19 OF MARYLAND IS EXEMPT FROM THE PROVISIONS OF THIS
20 SUBTITLE.

21 (2) **SECTION ADM 1.6 ORGANIZATION AND ENFORCEMENT.**
22 DELETE THIS SECTION.

23 (3) **SECTION ADM 1.7 VIOLATIONS AND PENALTIES.**
24 DELETE THIS SECTION.

25 (4) **SECTION ADM 1.8 PERMITS.**
26 DELETE THIS SECTION.

27 (5) **SECTION ADM 1.9 PROCESS FOR OBTAINING PERMITS.**
28 DELETE THIS SECTION.

29 (6) **SECTION ADM 1.10 PERMITS.**
30 DELETE THIS SECTION.

31 (7) **SECTION ADM 1.11 REQUIRED INSPECTIONS.**

1 DELETE THIS SECTION.

2 (8) **SECTION ADM 1.12 FINAL CONNECTIONS.**

3 DELETE THIS SECTION.

4 (9) **SECTION ADM 1.13 UNCONSTITUTIONALITY.**

5 DELETE THIS SECTION.

6 (10) **BASIC PRINCIPLES.**

7 ADD PRINCIPLE NO. 23 TO READ AS FOLLOWS:

8 **PRINCIPLE NO. 23 - PIPING THROUGH ADJACENT**
9 **PROPERTY.**

10 SEWER, WATER, AND GAS PIPING SHALL NOT BE INSTALLED
11 THROUGH PROPERTY OTHER THAN THE PROPERTY TO BE
12 SERVED.

13 **EXCEPTION:** PIPING PROPOSED TO PASS THROUGH PROPERTY
14 OTHER THAN THE PROPERTY TO BE SERVED MAY BE
15 INSTALLED THROUGH A RIGHT-OF-WAY OR RECORDED
16 EASEMENT WITH THE PERMISSION OF THE AUTHORITY
17 HAVING JURISDICTION, PROVIDED THAT:

18 (I) ALL PRIVILEGES OF A RIGHT-OF-WAY OR RECORDED
19 EASEMENT ARE OBTAINED BY THE PROPERTY OWNER
20 DESIRING SERVICE, WITHOUT ANY COST, LIABILITY, OR
21 DAMAGE TO HOWARD COUNTY;

22 (II) THE RECORDED EASEMENT OR RIGHT-OF-WAY MEETS
23 ALL REQUIREMENTS OF THE AUTHORITY HAVING
24 JURISDICTION; AND

25 (III) THE RECORDED EASEMENT OR RIGHT-OF-WAY SHALL
26 BE GRANTED AND CONVEYED BY FORMAL DEED
27 RECORDED IN THE LAND RECORDS OF HOWARD
28 COUNTY.”

29 (11) **SECTION 1.2 DEFINITION OF TERMS.**

30 (I) **AUTHORITY HAVING JURISDICTION.**

31 DELETE THE ENTIRE DEFINITION AND SUBSTITUTE THE

1 FOLLOWING:

2 **AUTHORITY HAVING JURISDICTION:** THE AUTHORITY
3 HAVING JURISDICTION IS THE DIRECTOR OF THE
4 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
5 OR THE DIRECTOR'S AUTHORIZED DESIGNEE.

6 (II) INSERT THE FOLLOWING DEFINITIONS IN
7 ALPHABETICAL ORDER, AS APPROPRIATE:

- 8 A. **GASFITTING:** THE INSTALLATION OR
9 MAINTENANCE OF GAS PIPING AND EQUIPMENT
10 DESIGNED FOR UTILIZATION OF GAS.
- 11 B. **GASOLINE SERVICE STATION:** A FACILITY
12 OFFERING RETAIL SALES TO THE PUBLIC OF
13 GASOLINE, MOTOR OIL, LUBRICANTS, MOTOR
14 FUELS, TRAVEL AIDS, AND MINOR AUTOMOBILE
15 ACCESSORIES. A GASOLINE SERVICE STATION
16 MAY ALSO PROVIDE MOTOR VEHICLE SERVICE,
17 REPAIRS, AND MAINTENANCE INCLUDING, BUT
18 NOT LIMITED TO, PAINTING AND BODY WORK.
- 19 C. **LICENSED MASTER PLUMBER:** AN INDIVIDUAL
20 LICENSED BY THE MARYLAND STATE BOARD OF
21 PLUMBING TO PROVIDE PLUMBING SERVICES.
- 22 D. **MASTER GASFITTER:** AN INDIVIDUAL LICENSED
23 BY THE MARYLAND STATE BOARD OF PLUMBING
24 TO PROVIDE GASFITTING SERVICES.
- 25 E. **ON-SITE UTILITY:** A WATER, SEWER, OR STORM
26 DRAIN SYSTEM SERVING PRIVATE PROPERTY
27 EXTENDING FROM THE PROPERTY LINE TO A
28 DISTANCE OF 5 FEET FROM ANY NEW NEWLY
29 CONSTRUCTED IMPROVEMENT ON A PROPERTY.
30 AN ON-SITE UTILITY SHALL INCLUDE A FINAL
31 CONNECTION TO A PUBLIC OR PRIVATE WATER,

SANITARY SEWER, OR STORM DRAIN SYSTEM.
AN ON-SITE UTILITY SHALL NOT INCLUDE A
CONNECTION THAT IS WITHIN 5 FEET FROM ANY
NEWLY CONSTRUCTED IMPROVEMENT ON THE
PROPERTY.

F. **ON-SITE UTILITY CONTRACTOR:** A PERSON,
COMPANY, FIRM, OR CORPORATION WHOSE
OFFICIAL HOLDS A HOWARD COUNTY ON-SITE
UTILITY CONTRACTOR'S LICENSE.

G. **ON-SITE UTILITY WORK:** INSTALLATION,
REPAIR, OR MAINTENANCE OF ANY ON-SITE
UTILITY.

H. **PLUMBING PERMIT, EXPRESS:** A PREPAID
RESIDENTIAL PERMIT WHICH CAN BE USED BY A
MASTER PLUMBER FOR INSTALLATION OF UP TO
5 PLUMBING FIXTURES.

I. **PLUMBING PLANS AND SPECIFICATIONS:** ANY
PLAN OR SPECIFICATION REQUIRED BY THE
AUTHORITY HAVING JURISDICTION AND BY
SECTION 106.1.1.2 OF THE HOWARD COUNTY
BUILDING CODE PRIOR TO ISSUANCE OF A
PLUMBING PERMIT.

(12) **SECTION 2.10 EXCLUSION OF MATERIALS DETRIMENTAL
TO THE SEWERAGE SYSTEM.**

DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

2.10. DISCHARGES TO THE PUBLIC SEWER SYSTEM.

2.10.1. GENERAL.

A DISCHARGE TO THE PUBLIC SEWER SYSTEM SHALL
CONFORM TO THE STANDARDS AND REQUIREMENTS OF
SECTION 18.122A, "REGULATION OF DISCHARGES TO THE
PUBLIC SEWER SYSTEMS", OF THE HOWARD COUNTY CODE.

1 (13) **SECTION 2.16 FREEZING OR OVERHEATING.**

2 AMEND THIS SECTION AS FOLLOWS:

3 (I) INSERT “36” BEFORE “INCHES” IN NUMBERED LINE “1.”;

4 AND,

5 (II) INSERT “30” BEFORE “INCHES” IN NUMBERED LINE “2.”

6 (14) **SECTION 2.19 CONNECTION TO WATER AND SEWER**
7 **SYSTEM.**

8 DELETE THIS SECTION.

9 (15) **SUBSECTION 3.4.2 WATER SERVICE PIPING.**

10 AFTER THE END OF THE FIRST SENTENCE INSERT THE
11 FOLLOWING:

12 WHEN USED UNDERGROUND, COPPER TUBE OR COPPER PIPE
13 SHALL NOT BE LESS THAN TYPE L.

14 (16) **SUBSECTION 3.5.4 PLASTIC PIPING.**

15 DELETE THE SECOND SENTENCE OF PARAGRAPHS A & B AND

16 ~~INSERT~~ SUBSTITUTE THE FOLLOWING:

17 PIPE AND FITTINGS WITHIN A BUILDING SHALL BE SCHEDULE
18 40.

19 (17) **SUBSECTION 3.6.3 PLASTIC PIPING.**

20 DELETE THE SECOND SENTENCE OF PARAGRAPHS A & B AND

21 ~~INSERT~~ SUBSTITUTE THE FOLLOWING:

22 PIPE AND FITTINGS WITHIN A BUILDING SHALL BE SCHEDULE
23 40.

24 (18) **SUBSECTION 3.7.5 PLASTIC PIPING.**

25 DELETE THE SECOND SENTENCE OF PARAGRAPHS A & B AND

26 ~~INSERT~~ SUBSTITUTE THE FOLLOWING:

27 PIPE AND FITTINGS WITHIN A BUILDING SHALL BE SCHEDULE
28 40.

29 (19) **TABLE 3.1.3, III NON-METALLIC PIPE AND FITTINGS.**

30 IN ITEM 59, DELETE THE COMMENT UNDER ASTM 714-00 AND
31 SUBSTITUTE THE FOLLOWING:

(MINIMUM SDR VALUES FOR TRENCHLESS SYSTEMS –SEE
TABLES 3.4.3.5, AND 3.7).

(20) SUBSECTION 5.4.10 (A) MANHOLES FOR LARGE PIPES.

AMEND THIS SUBSECTION AS FOLLOWS:

- (I) IN LINE A, DELETE “12”” AND ~~INSERT~~ SUBSTITUTE “8
INCHES”;
- (II) IN LINE A, DELETE “300 FEET” AND ~~INSERT~~ SUBSTITUTE
“400 FEET”; AND
- (III) AMEND FIGURE 5.4.10, LOCATION AND SPACING OF
MANHOLES - SHOWN ISOMETRICALLY, TO REFLECT THE
AMENDMENTS.

(21) SECTION 7.2 FIXTURES FOR ACCESSIBLE USE.

DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

7.2 FIXTURES FOR ACCESSIBLE USE. A PLUMBING FIXTURE,
MATERIAL, OR CLEARANCE SHALL COMPLY WITH THE
MARYLAND ACCESSIBILITY CODE.

**(22) TABLE 7.21.1 MINIMUM NUMBER OF REQUIRED PLUMBING
FIXTURES.**

AMEND THIS TABLE AS FOLLOWS:

- (I) IN ITEM NO. 7, MERCANTILE, DELETE COMMENT (A) IN
ITS ENTIRETY; AND
- (II) IN THE NEXT ROW, IN THE “DESCRIPTION” AFTER THE
WORD “USES” INSERT “ALL GASOLINE SERVICE
STATIONS SHALL PROVIDE TOILET FACILITIES TO THE
PUBLIC WHEN OPEN FOR BUSINESS. THERE SHALL BE A
SEPARATE TOILET FACILITY FOR MEN AND WOMEN.”

(23) SECTION 9.3.1 GENERAL.

DELETE SUBSECTION C IN ITS ENTIRETY AND SUBSTITUTE
THE FOLLOWING:

C. EXCEPT IN A DWELLING WHERE A KITCHEN SINK TRAP OR
FOOD WASTE DISPOSER MAY RECEIVE DISCHARGE FROM A

1 DISHWASHER, A PLUMBING FIXTURE THAT IS USED FOR A
2 DOMESTIC OR CULINARY PURPOSE SHALL NOT BE USED AS A
3 RECEPTOR FOR INDIRECT WASTE,.

4 (24) **SUBSECTION 9.3.1.1 IN A SINGLE FAMILY DETACHED**
5 **DWELLING UNIT, INSIDE DRAINS FOR CONDENSATE AND**
6 **PRESSURE/TEMPERATURE RELIEF VALVES.**

7 ADD NEW SUBSECTION 9.3.1.1 AFTER SECTION 9.3.1 AS
8 FOLLOWS:

9 **SUBSECTION 9.3.1.1 IN A SINGLE FAMILY DETACHED**
10 **DWELLING UNIT, INSIDE DRAINS FOR CONDENSATE AND**
11 **PRESSURE/TEMPERATURE RELIEF VALVES.** AN INSIDE
12 DRAIN FOR CONDENSATE OR A PRESSURE/TEMPERATURE
13 RELIEF VALVE ~~ARE~~ IS REQUIRED TO GO TO AN INDIRECT
14 WASTE RECEPTOR INSIDE A BUILDING. THE INDIRECT WASTE
15 RECEPTOR SHALL BE A 2-INCH DIAMETER, **DEEP SEAL TRAP**
16 **OF NOT LESS THAN 6-INCHES**, LOCATED UNDER THE FLOOR
17 SLAB. A 3 INCH BY 2 INCH INCREASER MAY BE INSTALLED
18 AND CUT FLUSH TO THE FLOOR AFTER POURING THE SLAB.
19 BREAKING OFF THE RECEPTOR PIPE BY OTHER MEANS SUCH
20 AS WITH A HAMMER OR BY KICKING WILL RESULT IN A
21 FAILED INSPECTION AND THE DAMAGED PIPE SHALL BE
22 CUTOUT AND REPAIRED. THE DEEP SEAL TRAP SHALL BE
23 PIPED TO THE SUMP CROCK.

24 THE PRESSURE/TEMPERATURE RELIEF VALVE MAY BE
25 DISCHARGED INTO THE CENTER OF THE INCREASER, AS LONG
26 AS A VISIBLE AIR GAP IS MAINTAINED. THE AIR GAP SHALL BE
27 AT LEAST TWICE THE DIAMETER OF THE DISCHARGE PIPE. A
28 CONDENSATION LINE MAY BE INSERTED INTO THE
29 INCREASER WITHOUT AN AIR GAP. THE SEAL HAS THE EFFECT
30 OF CONFINING THE RADON TO THE CONTROL SYSTEM. A
31 HOME BUYER SHOULD BE REMINDED DURING THEIR WALK-

1 THROUGH THAT THE TRAP SHOULD BE FLUSHED FROM TIME
2 TO TIME WHEN IT IS NOT OTHERWISE BEING PRIMED BY
3 CONDENSATION.

4 (25) **SUBSECTION 9.3.3 PROHIBITED LOCATIONS.**

5 DELETE THE ENTIRE SECOND PARAGRAPH.

6 (26) **SUBSECTION 9.3.4 STANDPIPES.**

7 DELETE THE SECOND SENTENCE AND FIGURE 9.3.4C.

8 (27) **SUBSECTION 9.4.3 (C) (1) AND (5) AIR CONDITIONING
9 CONDENSATE.**

10 AMEND THIS SUBSECTION AS FOLLOWS:

11 (I) DELETE 9.4.3(C)(1);

12 (II) ~~ADD~~ INSERT THE FOLLOWING AT THE END OF 9.4.3(C)(4):
13 A SINGLE FAMILY DWELLING UNIT SHALL NOT
14 DISCHARGE CONDENSATE UNDERGROUND TO A
15 FRENCH DRAIN;

16 (II) DELETE 9.4.3(C)(5); AND

17 (III) DELETE FIGURE 9.4.3B, EXAMPLE C.

18 (28) **SUBSECTION 10.15.9.A WHERE REQUIRED.**

19 ~~ADD~~ INSERT THE FOLLOWING AFTER THE FIRST SENTENCE OF
20 THIS SUBSECTION:

21 A DRIP PAN SHALL BE INSTALLED TO PREVENT LEAKAGE
22 UNDER AN AUTOMATIC CLOTHES WASHER.

23 (29) **SUBSECTION 10.16.6 RELIEF VALVE DISCHARGE PIPING.**

24 AMEND THIS SUBSECTION AS FOLLOWS:

25 (I) DELETE SUBSECTION 10.16.6.E; AND

26 (II) RENUMBER ITEMS F AND G, RESPECTIVELY, TO BE E
27 AND F, RESPECTIVELY.

28 (30) **SUBSECTION 11.2.3 BUILDING SEWER AND BUILDING DRAIN
29 SIZE.**

30 ~~ADD~~ INSERT THE FOLLOWING AFTER THE FIRST SENTENCE:

31 A BUILDING DRAIN SHALL BE A MINIMUM OF 4 INCHES IN

DIAMETER TO THE FIRST 3 INCH DIAMETER STACK, RUNNING
UNDIMINISHED IN SIZE WITH NO MORE THAN A 45 ~~DEGREES~~
DEGREE OFFSET FROM THE VERTICAL THROUGH TO THE
OPEN AIR ABOVE THE ROOF.

(31) **SUBSECTION 11.5.5 MINIMUM SIZE OF UNDERGROUND
DRAINAGE PIPING.**

DELETE THE EXCEPTION.

(32) **SUBSECTION 11.7.1 BUILDING SUBDRAINS.**

ON FIGURE 11.7.1, DELETE NOTE 1.

(33) **SUBSECTION 11.7.11 HIGH WATER ALARMS.**

DELETE THIS SUBSECTION.

(34) **SUBSECTION 12.8.2 PROVISION FOR VENTING FUTURE
FIXTURES.**

AMEND THIS SUBSECTION AS FOLLOWS:

(I) DELETE THE WORD “RESIDENTIAL” AND SUBSTITUTE
“SINGLE FAMILY DETACHED”; AND

~~(II) DELETE THE REMAINDER OF THE SENTENCE
FOLLOWING “INSTALLED BETWEEN” AND INSERT~~

(II) DELETE “INSTALLED” THROUGH THE END OF THE
SENTENCE AND SUBSTITUTE: “CONNECTED TO THE
VENT PIPING IN THE BASEMENT AND EXTENDED
THROUGH THE ATTIC TO THE OPEN AIR ABOVE THE
ROOF”.

(35) **SUBSECTION 12.16.7 UNDERGROUND VENT PIPING.**

DELETE “1-1/2”” AND ~~INSERT~~ SUBSTITUTE “2 INCHES”.

(36) **12.19 RELIEF VENT FOR BUILDING SEWER.**

ADD NEW SECTION 12.19 AFTER SECTION 12.18 AS FOLLOWS:

12.19 RELIEF VENT FOR BUILDING SEWER.

12.19.1 WHERE REQUIRED. A RELIEF VENT SHALL BE
PROVIDED ON A BUILDING DRAIN BETWEEN A BUILDING
SEWER AND THE FIRST FIXTURE CONNECTION IF:

- 1 (I) THE DRAINAGE SYSTEM DISCHARGES TO A SEPTIC
2 TANK; OR
- 3 (II) THE BUILDING SEWER CONNECTS TO A PUBLIC SEWER
4 THAT IS SUBJECT TO OVERLOAD OR SURCHARGE AND A
5 RELIEF VENT IS REQUIRED BY THE AUTHORITY HAVING
6 JURISDICTION.
- 7 (III) THE SUBMERGED CONDITION IN EITHER THE PUBLIC OR
8 PRIVATE POINT OF DISPOSAL IS A FORM OF “DOUBLE
9 TRAPPING” OF THE SYSTEM. THE AIR IN THE BUILDING
10 DRAIN AND THE BUILDING SEWER SHALL BE RELIEVED
11 AS THE DISCHARGE FLOWS DOWNSTREAM. THE
12 AUTHORITY HAVING JURISDICTION IS USUALLY
13 FAMILIAR WITH SITES WHERE THE SEWER SYSTEM IS
14 OVERLOADED.

15 **12.19.2 VENT SIZE.** A RELIEF VENT FOR A BUILDING SEWER
16 SHALL BE NOT LESS THAN HALF THE SIZE OF THE BUILDING
17 DRAIN TO WHICH IT CONNECTS OR LESS THAN 2 INCHES IN
18 SIZE.

19 **12.19.3 VENT WASHDOWN.** A RELIEF VENT REQUIRED UNDER
20 SECITON 12.19.1 MAY SERVE AS A BRANCH DRAIN FOR 1 OR
21 MORE FIXTURES PROVIDED THAT NO MORE THAN 2 DFU
22 DRAIN TO A 2 INCH RELIEF VENT OR PROVIDED THAT NO
23 MORE THAN 4 DFU DRAIN TO A 3 INCH RELIEF VENT.

24 (37) **SUBSECTION 13.1.1 WHERE REQUIRED.**

25 AMEND THIS SUBSECTION AS FOLLOWS:

- 26 (I) IN THE FIRST SENTENCE, DELETE “, A COMBINED SEWER
27 WHERE NECESSARY”; AND
- 28 (II) IN THE SECOND SENTENCE (EXCEPTION) DELETE “OR
29 STREETS”.

30 (38) **SUBSECTION 13.1.5 FOUNDATION DRAINS.**

31 IN THE FIRST SENTENCE OF SUBSECTION 13.1.5D. DELETE

1 “STREET, ALLEY,”.

- 2 (39) **CHAPTER 16 REGULATIONS GOVERNING INDIVIDUAL**
3 **SEWAGE DISPOSAL SYSTEMS FOR HOMES AND OTHER**
4 **ESTABLISHMENTS WHERE PUBLIC SEWAGE SYSTEMS ARE**
5 **NOT AVAILABLE.**

6 DELETE THIS CHAPTER.

- 7 (40) **CHAPTER 17 POTABLE WATER SUPPLY SYSTEMS.**

8 DELETE THIS CHAPTER 17.

- 9 (41) **CHAPTER 18 MOBILE HOME & TRAVEL TRAILER PARK**
10 **PLUMBING STANDARDS.**

11 DELETE THIS CHAPTER.

12
13 **SEC. 3.303. ADMINISTRATION AND ENFORCEMENT.**

14 (A) *IN GENERAL.* THE AUTHORITY HAVING JURISDICTION SHALL:

- 15 (1) ADMINISTER AND ENFORCE THE HOWARD COUNTY
16 PLUMBING AND GASFITTING CODE;
17 (2) ADOPT REGULATIONS CONCERNING THE ADMINISTRATION
18 AND ENFORCEMENT OF THE PLUMBING AND GASFITTING
19 CODE AND WORK DONE PURSUANT TO THAT CODE; AND
20 (3) SUBMIT REGULATIONS TO THE PLUMBING ADVISORY BOARD
21 FOR REVIEW AND COMMENT PRIOR TO ADOPTION OF THE
22 REGULATIONS.

23 (B) *INSPECTION OF WORK.*

- 24 (1) DURING CONSTRUCTION AND UPON COMPLETION, THE
25 AUTHORITY HAVING JURISDICTION SHALL INSPECT ALL
26 PLUMBING, GASFITTING, AND ON-SITE UTILITY WORK FOR
27 WHICH A PERMIT IS ISSUED AND MAY INSPECT ALL
28 PLUMBING OR GASFITTING WORK CONDUCTED PURSUANT TO
29 SECTION 3.301(D)(2).
30 (2) IT SHALL BE THE DUTY OF THE HOLDER OF THE PLUMBING
31 PERMIT OR THEIR DULY AUTHORIZED AGENT TO NOTIFY THE

1 AUTHORITY HAVING JURISDICTION WHEN THE WORK IS
2 READY FOR INSPECTION. IT SHALL BE THE DUTY OF THE
3 HOLDER OF THE PLUMBING PERMIT OR THEIR DULY
4 AUTHORIZED AGENT TO PROVIDE ACCESS TO AND MEANS
5 FOR INSPECTION OF WORK AS REQUIRED BY THIS SUBTITLE.

6 (3) EXCEPT FOR A TEMPORARY COVER PLACED PENDING
7 INSPECTION IN ORDER TO AVOID THE POSSIBILITY OF INJURY
8 OR ACCIDENT, A PERSON SHALL NOT COVER OR ENCLOSE
9 FROM VIEW ANY PORTION OF PLUMBING, GASFITTING, OR
10 ON-SITE UTILITY WORK UNDER PERMIT OR WORK
11 CONDUCTED UNDER SECTION 3.301(D)(2) OF THIS SUBTITLE
12 BEFORE THE AUTHORITY HAVING JURISDICTION HAS
13 INSPECTED AND APPROVED THE WORK.

14 (4) THE AUTHORITY HAVING JURISDICTION SHALL PREPARE A
15 WRITTEN REPORT OF ALL INSPECTIONS AND SHALL
16 MAINTAIN ALL REPORTS ON FILE.

17 (C) *STOP WORK ORDER.* A STOP WORK ORDER SHALL BE ADMINISTERED
18 AS SET FORTH IN SECTION 114 OF THE HOWARD COUNTY BUILDING
19 CODE.

20 (D) *CERTIFICATE IN LIEU OF INSPECTION.* INSTEAD OF AN INSPECTION,
21 THE AUTHORITY HAVING JURISDICTION MAY ACCEPT A
22 CERTIFICATE FROM A QUALIFIED AND REGISTERED PROFESSIONAL
23 ENGINEER THAT WORK PERFORMED UNDER THE PERSONAL
24 SUPERVISION AND CONTROL OF THE ENGINEER IS IN ACCORDANCE
25 WITH THE PROVISIONS OF THE HOWARD COUNTY PLUMBING AND
26 GASFITTING CODE. THE AUTHORITY HAVING JURISDICTION SHALL
27 ISSUE WRITTEN ACCEPTANCE OF THE CERTIFICATE IN LIEU OF AN
28 INSPECTION AND SHALL KEEP THE CERTIFICATE AND WRITTEN
29 ACCEPTANCE ON FILE.

30 (E) *RIGHT OF ENTRY.*

31 (1) *INSPECTIONS.* THE AUTHORITY HAVING JURISDICTION SHALL

1 HAVE A RIGHT OF ENTRY AT REASONABLE TIMES SOLELY
2 FOR THE PURPOSE OF PERFORMING AN INSPECTION IN
3 ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE.

- 4 (2) *EMERGENCY RIGHT OF ENTRY.* IN ADDITION TO AN
5 INSPECTION AUTHORIZED BY THIS SECTION, THE AUTHORITY
6 HAVING JURISDICTION SHALL HAVE THE RIGHT TO ENTER A
7 BUILDING, STRUCTURE, OR PREMISES WHERE THERE IS
8 EVIDENCE THAT AN ACTUAL OR POTENTIAL EMERGENCY
9 EXISTS WHICH THREATENS OR MAY THREATEN THE PUBLIC
10 HEALTH AND SAFETY FOR THE PURPOSE OF PERFORMING
11 DUTIES PURSUANT TO THIS SUBTITLE OR TO ENFORCE THE
12 PROVISIONS OF THIS SUBTITLE. THE AUTHORITY HAVING
13 JURISDICTION OR THEIR AUTHORIZED REPRESENTATIVE
14 SHALL PRODUCE APPROPRIATE PROOF OF IDENTITY PRIOR TO
15 ENTRY

16 (F) *VIOLATIONS.*

- 17 (1) UNLAWFUL ACTS. A PERSON, FIRM, OR CORPORATION SHALL
18 NOT PERFORM ANY PLUMBING, GASFITTING, OR ON-SITE
19 UTILITY CONTRACTOR WORK, OR CAUSE THE SAME TO BE
20 PERFORMED, IN CONFLICT WITH OR IN VIOLATION OF ANY OF
21 THE PROVISIONS OF THIS SUBTITLE.

- 22 (2) NOTICE OF VIOLATION. THE AUTHORITY HAVING
23 JURISDICTION IS AUTHORIZED TO SERVE A NOTICE OF
24 VIOLATION OR ORDER ON A PERSON PERFORMING WORK
25 WHICH IS REGULATED BY THIS SUBTITLE. A NOTICE SHALL
26 DIRECT THAT THE ILLEGAL ACTION OR CONDITION BE
27 DISCONTINUED, SHALL DIRECT THE ABATEMENT OF THE
28 VIOLATION, AND SHALL SET A REASONABLE TIME FOR
29 ABATEMENT.

- 30 (3) PROSECUTION OF VIOLATION. IF THE NOTICE OF VIOLATION
31 IS NOT COMPLIED WITH WITHIN THE TIME SET FORTH IN THE

1 NOTICE, THE AUTHORITY HAVING JURISDICTION IS
2 AUTHORIZED TO REQUEST THE LEGAL COUNSEL OF THE
3 JURISDICTION TO INSTITUTE THE APPROPRIATE PROCEEDING
4 AT LAW OR IN EQUITY TO RESTRAIN, CORRECT, OR ABATE
5 THE VIOLATION, TO REQUIRE THE REMOVAL OR
6 TERMINATION OF THE VIOLATION, AND TO CRIMINALLY
7 PROSECUTE THE PERMIT HOLDER.

8 (4) PENALTIES.

9 (I) CRIMINAL PENALTIES. A PERSON, FIRM OR
10 CORPORATION, OR OTHER ENTITY WHICH
11 INDIVIDUALLY, COLLECTIVELY, OR THROUGH OTHERS,
12 CONSTRUCTS, ERECTS, ALTERS, OR REPAIRS ANY
13 PLUMBING, GASFITTING, OR ON-SITE UTILITY WORK IN
14 VIOLATION OF ANY PROVISION OF THIS SUBTITLE IS
15 GUILTY OF A MISDEMEANOR AND, UPON CONVICTION,
16 IS SUBJECT TO A FINE, NOT EXCEEDING \$1,000, OR
17 IMPRISONMENT, NOT EXCEEDING 30 DAYS, OR BOTH.

18 (II) CIVIL PENALTIES. ALTERNATIVELY, AND IN ADDITION
19 TO AND CONCURRENT WITH ALL OTHER REMEDIES,
20 THE AUTHORITY HAVING JURISDICTION MAY ENFORCE
21 THE PROVISIONS OF THIS SUBTITLE WITH CIVIL
22 PENALTIES, AS PROVIDED IN TITLE 24, "CIVIL
23 PENALTIES", OF THE HOWARD COUNTY CODE. EXCEPT
24 FOR A VIOLATION OF SECTION 3.304, A FIRST
25 VIOLATION OF A PROVISION OF THIS SUBTITLE IS A
26 CLASS C OFFENSE. EXCEPT FOR A VIOLATION OF
27 SECTION 3.304, A SUBSEQUENT VIOLATION OF A
28 PROVISION OF THIS SUBTITLE IS A CLASS B OFFENSE. A
29 FIRST OR SUBSEQUENT VIOLATION OF SECTION 3.304 IS
30 A CLASS A OFFENSE. EACH DAY THAT A VIOLATION
31 CONTINUES IS A SEPARATE VIOLATION.

1
2 **SEC. 3.304. ON-SITE UTILITY CONTRACTOR'S LICENSE.**

- 3 (A) *ON-SITE UTILITY WORK.* UNLESS A PERSON IS A LICENSED MASTER
4 PLUMBER OR HOLDS A VALID CURRENT ON-SITE UTILITY
5 CONTRACTOR'S LICENSE ISSUED BY HOWARD COUNTY, A PERSON
6 SHALL NOT ENGAGE IN ON-SITE UTILITY WORK.
- 7 (B) *APPLICATION FOR ON-SITE UTILITY CONTRACTOR'S LICENSE; RENEWAL*
8 *OF LICENSE.* AN APPLICATION FOR AN ON-SITE UTILITY
9 CONTRACTOR LICENSE OR RENEWAL OF AN ON-SITE UTILITY
10 CONTRACTOR LICENSE SHALL BE SUBMITTED TO THE AUTHORITY
11 HAVING JURISDICTION ON A FORM PROVIDED BY THE AUTHORITY
12 HAVING JURISDICTION. THE ORIGINAL APPLICATION SHALL BE
13 ACCOMPANIED BY THE FOLLOWING ITEMS:
- 14 (1) THE APPLICABLE FEE;
15 (2) THE APPLICANT'S NAME, HOME AND BUSINESS ADDRESSES,
16 AND PHONE NUMBERS;
17 (3) THE NAME UNDER WHICH THE BUSINESS IS CONDUCTED;
18 (4) REQUIRED EVIDENCE OF EXPERIENCE; AND
19 (5) ANY REQUIRED REFERENCES.
- 20 (C) *FEES FOR ON-SITE CONTRACTOR'S LICENSES.* THE FEE FOR AN ON-
21 SITE UTILITY CONTRACTOR'S LICENSE SHALL BE PURSUANT TO THE
22 FEE SCHEDULE ADOPTED BY RESOLUTION OF THE COUNTY
23 COUNCIL.
- 24 (D) *DURATION OF ON-SITE UTILITY CONTRACTOR'S LICENSE.* EACH ON-
25 SITE UTILITY CONTRACTOR'S LICENSE GRANTED PURSUANT TO
26 THIS SUBTITLE SHALL BE ISSUED FOR A PERIOD OF UP TO 1 YEAR
27 AND SHALL EXPIRE ON JULY 31 OF EACH YEAR. AN APPLICATION
28 FOR RENEWAL SHALL BE FILED WITH THE AUTHORITY HAVING
29 JURISDICTION.
- 30 (E) *PREREQUISITES FOR GRANTING OF ON-SITE UTILITY CONTRACTOR'S*
31 *LICENSE.* AN ON-SITE UTILITY CONTRACTOR'S LICENSE SHALL BE

ISSUED TO AN INDIVIDUAL OR AN OFFICIAL OF A COMPANY, FIRM,
OR CORPORATION, IF THE PERSON:

- (1) CERTIFIES, UNDER PENALTY OF PERJURY, TO HAVING
LIABILITY INSURANCE COVERAGE, INCLUDING COMPLETED
OPERATIONS, FOR BODILY INJURY IN THE AMOUNT OF AT
LEAST \$300,000 AND FOR PROPERTY DAMAGE IN THE AMOUNT
OF AT LEAST \$100,000, RECERTIFICATION OF WHICH IS
REQUIRED FOR RENEWAL OF THE LICENSE; AND
- (2) HOLDS A VALID AND CURRENT ON-SITE UTILITY
CONTRACTOR'S LICENSE (OR EQUIVALENT) ISSUED BY
ANOTHER MARYLAND JURISDICTION OR HAS HAD AT LEAST 2
YEARS OF EXPERIENCE, ACCEPTABLE TO THE AUTHORITY
HAVING JURISDICTION.

(F) *LICENSE; ADDRESSES; EXHIBITS.* EVERY LICENSED HOWARD
COUNTY ON-SITE UTILITY CONTRACTOR SHALL NOTIFY THE
AUTHORITY HAVING JURISDICTION OF ANY CHANGE OF ADDRESS.
AN ON-SITE UTILITY CONTRACTOR SHALL NOT ALLOW THEIR NAME
TO BE USED BY ANOTHER PERSON, FIRM, COMPANY OR
CORPORATION FOR THE PURPOSE OF OBTAINING A PERMIT OR FOR
DOING WORK AUTHORIZED UNDER THIS LICENSE. A PERSON
HOLDING AN ON-SITE UTILITY CONTRACTOR'S LICENSE SHALL
EXHIBIT IT UPON REQUEST WHEN ENGAGED IN WORK AUTHORIZED
UNDER THE LICENSE.

(G) *SUSPENSION AND REVOCATION OF ON-SITE UTILITY CONTRACTOR'S
LICENSE.*

- (1) *GROUND'S FOR SUSPENSION OR REVOCATION.* AN ON-SITE
UTILITY CONTRACTOR'S LICENSE SHALL BE SUSPENDED OR
REVOKED BECAUSE OF:

- (I) FRAUD, DECEIT, OR MISREPRESENTATION IN
OBTAINING AN ON-SITE UTILITY CONTRACTOR'S
LICENSE OR PERMIT;

- (II) GROSS NEGLIGENCE, INCOMPETENCE, OR MISCONDUCT
IN THE PERFORMANCE OF ON-SITE UTILITY WORK;
- (III) A VIOLATION OF THE HOWARD COUNTY PLUMBING
AND GASFITTING CODE OR OF A REGULATION
ADOPTED PURSUANT TO THIS SUBTITLE;
- (IV) AN UNFAIR OR DECEPTIVE TRADE PRACTICE AS
DEFINED IN ~~SECTION 13-301~~ TITLE 13, SUBTITLE 3 OF
THE COMMERCIAL LAW ARTICLE OF THE ANNOTATED
CODE OF MARYLAND; OR
- (V) SELLING, LENDING OR OTHERWISE PERMITTING ANY
IMPROPER USE OF AN ON-SITE UTILITY CONTRACTOR'S
LICENSE OR PERMIT.

(2) *PROCEDURE.* IF THE BUILDING OFFICIAL FINDS GROUNDS FOR
REVOCATION OR SUSPENSION ~~FO~~ OF A LICENSE, AS SET
FORTH IN THE PRECEDING PARAGRAPH, THE AUTHORITY
HAVING JURISDICTION SHALL ISSUE A WRITTEN ORDER:

- (I) SUSPENDING THE ON-SITE UTILITY CONTRACTOR'S
LICENSE FOR A SPECIFIC PERIOD OF TIME AFTER WHICH
THE LICENSE SHALL AUTOMATICALLY BE REINSTATED;
OR
- (II) REVOKING THE ON-SITE UTILITY CONTRACTOR'S
LICENSE, STATING WHETHER OR NOT FUTURE
REINSTATEMENT IS POSSIBLE, AND STIPULATING THAT
NO APPLICATION FOR REINSTATEMENT WILL BE
PROCESSED UNTIL 6 MONTHS FROM THE DATE OF
REVOCATION.

(3) *APPEALS.* WITHIN 30 DAYS OF THE DATE OF THE DECISION, A
PERSON AGGRIEVED BY A DECISION OF THE AUTHORITY
HAVING JURISDICTION TO REVOKE, DENY, SUSPEND OR
APPROVE ANY ON-SITE UTILITY CONTRACTOR'S LICENSE
MAY APPEAL THE DECISION TO THE HOWARD COUNTY

1 BOARD OF APPEALS HEARING EXAMINER PURSUANT TO THE
2 PROCEDURES SET FORTH IN ~~SECTION 16.303~~ TITLE 16,
3 SUBTITLE 3 OF THE HOWARD COUNTY CODE.
4
5

6 **SEC. 3.305. PERMITS.**

7 (A) *PERMITS REQUIRED.* EXCEPT AS PROVIDED IN THIS SUBSECTION
8 AND IN SUBSECTION 3.301(D) OF THE SUBTITLE, PLUMBING,
9 GASFITTING, OR ON-SITE UTILITY WORK SHALL NOT BE
10 UNDERTAKEN WITHOUT A PERMIT ISSUED BY THE AUTHORITY
11 HAVING JURISDICTION. A PERMIT FOR PLUMBING OR GASFITTING
12 WORK SHALL BE ISSUED ONLY TO A LICENSED MASTER PLUMBER
13 OR GASFITTER. A PERMIT FOR ON-SITE UTILITY WORK SHALL BE
14 ISSUED ONLY TO A LICENSED MASTER PLUMBER OR TO A HOLDER
15 OF A HOWARD COUNTY ON-SITE UTILITY CONTRACTOR LICENSE.

16 THE FOLLOWING WORK SHALL NOT REQUIRE A PERMIT:

- 17 (1) THE REPAIR OR REPLACEMENT OF A FAUCET, BALLCOCK,
18 EXPOSED FIXTURE TRAP, OR SHUTOFF VALVE; OR
19 (2) THE CLEARING OF A STOPPAGE OR THE REPAIR OF A LEAK,
20 WHEN THE WORK DOES NOT REQUIRE THE REPLACEMENT OF
21 A PLUMBING FIXTURE OR ANY PORTION OF A DRAINAGE OR
22 WATER SYSTEM.

23 (B) *APPLICATION FOR PERMIT.*

24 (1) *INFORMATION REQUIREMENT.* A LICENSED MASTER PLUMBER,
25 LICENSED GASFITTER, OR LICENSED ON-SITE UTILITY
26 CONTRACTOR SHALL PROVIDE:

- 27 (I) EVIDENCE THAT THEY HOLD CURRENT AND VALID
28 ~~LICENSE.~~ LICENSE;
29 (II) THEIR NAME, HOME AND BUSINESS ADDRESSES, AND
30 PHONE NUMBERS;
31 (III) THE NAME UNDER WHICH THE BUSINESS IS

1 CONDUCTED; AND

2 (IV) EVIDENCE OF INSURANCE REQUIRED BY THE

3 AUTHORITY HAVING JURISDICTION.

4 (2) *APPLICATIONS.* THE AUTHORITY HAVING JURISDICTION SHALL

5 ~~PRESCRIBE~~ PROVIDE A FORM FOR A PERMIT APPLICATION. AN

6 APPLICATION SHALL BE IN WRITING AND SHALL BE SIGNED

7 BY THE LICENSED MASTER PLUMBER, LICENSED GASFITTER,

8 OR LICENSED ON-SITE UTILITY CONTRACTOR. THE

9 APPLICATION SHALL BE ACCOMPANIED BY A PLAN OR

10 DRAWING REQUIRED BY THE AUTHORITY HAVING

11 JURISDICTION. THE APPLICATION SHALL BE ACCOMPANIED

12 BY THE REQUIRED PAYMENT OF FEES.

13 (C) *DURATION OF PERMIT APPLICATION.* UNLESS A PERMIT HAS BEEN

14 ISSUED OR DILIGENTLY PURSUED, AN APPLICATION FOR A PERMIT

15 SHALL EXPIRE 6 MONTHS AFTER IT IS MADE. UPON WRITTEN

16 REQUEST OF THE PERMIT APPLICANT AND WHERE THE AUTHORITY

17 HAVING JURISDICTION DETERMINES THAT REASONABLE ~~CAUSES~~

18 CAUSE EXISTS, THE AUTHORITY HAVING JURISDICTION MAY GRANT

19 AN EXTENSION OF TIME, NOT TO EXCEED 1 YEAR, PROVIDED THAT

20 NO OTHER PROVISION OF STATE OR COUNTY LAW IS VIOLATED.

21 (D) *OTHER VIOLATIONS.* THE AUTHORITY HAVING JURISDICTION MAY

22 NOT ISSUE A PERMIT FOR PLUMBING OR ON-SITE UTILITY

23 CONTRACTOR WORK IF THE PERMIT APPLICANT IS IN VIOLATION OF

24 THIS SUBTITLE FOR WORK PERFORMED ON A SEPARATE PERMIT

25 FOR PLUMBING OR ON-SITE UTILITY WORK THAT HAS BEEN ISSUED

26 TO THE SAME PERSON.

27 (E) *DURATION OF PERMIT.* UNLESS WORK AUTHORIZED BY A PERMIT IS

28 COMMENCED WITHIN 1 YEAR AFTER ITS ISSUANCE, THE PERMIT

29 SHALL BECOME INVALID. IF WORK AUTHORIZED BY A PERMIT IS

30 SUSPENDED OR ABANDONED FOR A PERIOD EXCEEDING 1 YEAR

31 AFTER THE WORK IS COMMENCED THE PERMIT SHALL BECOME

1 INVALID. THE AUTHORITY HAVING JURISDICTION IS AUTHORIZED
2 TO GRANT, IN WRITING, 1 OR MORE EXTENSIONS OF TIME, FOR
3 PERIODS OF NOT MORE THAN 180 DAYS EACH. THE EXTENSION
4 REQUEST SHALL BE IN WRITING AND SHALL DEMONSTRATE
5 ~~JUSTIFIABLE~~ REASONABLE CAUSE.

6 AN EXPRESS PLUMBING PERMIT SHALL HAVE NO EXPIRATION DATE.

7 (F) *REVOCATION OF PERMIT.* THE AUTHORITY HAVING JURISDICTION
8 SHALL NOTIFY THE MARYLAND STATE BOARD OF PLUMBING
9 WHENEVER A PERMIT IS REVOKED, INDICATING THE NAME OF THE
10 PLUMBER AND THE CAUSE FOR WHICH THE PERMIT WAS REVOKED.
11 THE AUTHORITY HAVING JURISDICTION SHALL REVOKE A PERMIT
12 ISSUED FOR ANY OF THE FOLLOWING CAUSES:

13 (1) FRAUD, DECEIT, OR MISREPRESENTATION IN OBTAINING A
14 PERMIT OR HOWARD COUNTY ON-SITE UTILITY
15 CONTRACTOR'S LICENSE;

16 (2) GROSS NEGLIGENCE, INCOMPETENCE OR MISCONDUCT IN
17 THE PERFORMANCE OF PLUMBING WORK;

18 (3) A VIOLATION OF THE HOWARD COUNTY PLUMBING AND
19 GASFITTING CODE OR OF REGULATIONS ADOPTED PURSUANT
20 TO THIS SUBTITLE;

21 (4) UNFAIR OR DECEPTIVE TRADE PRACTICE AS DEFINED IN THE
22 COMMERCIAL LAW ARTICLE OF THE ANNOTATED CODE OF
23 MARYLAND; AND

24 (5) SELLING, LENDING OR OTHERWISE PERMITTING ANY
25 IMPROPER USE OF A LICENSE OR PERMIT.

26 (G) *SITE WORK RESPONSIBILITIES.* ONLY WORK AUTHORIZED BY A
27 PERMIT SHALL BE PERFORMED PURSUANT TO THE PERMIT. THE
28 PERMIT HOLDER SHALL BE PRESENT ON THE SITE WHENEVER
29 PLUMBING, GASFITTING, OR ON-SITE UTILITY WORK IS TAKING
30 PLACE.

31 (H) *TRANSFER OF PLUMBING PERMITS.*

- 1 (1) A PLUMBING PERMIT SHALL NOT BE TRANSFERRED. A PERMIT
2 MAY BE TERMINATED AND A SEPARATE PERMIT MAY BE
3 ISSUED TO ANOTHER PLUMBER, GASFITTER, OR ON-SITE
4 UTILITY CONTRACTOR FOR THE REMAINING WORK TO BE
5 DONE. THE REQUEST FOR A TERMINATION SHALL COME
6 FROM EITHER THE INDIVIDUAL HOLDING THE PERMIT OR
7 FROM THE PERSON WHO CONTRACTED FOR THE WORK. THE
8 REQUEST SHALL BE IN WRITING TO THE AUTHORITY HAVING
9 JURISDICTION.
- 10 (2) BEFORE TERMINATION OF THE PERMIT, THE AUTHORITY
11 HAVING JURISDICTION SHALL INSPECT THE WORK WHICH
12 HAS BEEN COMPLETED AND SHALL NOTE IN THE RECORD THE
13 EXTENT OF THE WORK COMPLETED. THE ORIGINAL LICENSED
14 MASTER PLUMBER SHALL BE RESPONSIBLE FOR THE WORK
15 COMPLETED PRIOR TO THE TERMINATION.
- 16 (3) UNLESS THE PERSON WHO CONTRACTED FOR THE WORK,
17 ANOTHER MASTER LICENSED PLUMBER OR AN ON-SITE
18 UTILITY CONTRACTOR ASSUMES RESPONSIBILITY FOR ALL
19 WORK, THE DIRECTOR MAY ISSUE ANOTHER PERMIT FOR THE
20 REMAINING WORK:
- 21 (I) 5 OR MORE DAYS AFTER THE RECEIPT OF THE
22 CERTIFIED LETTER BY THE AUTHORITY HAVING
23 JURISDICTION;
- 24 (II) AFTER TERMINATION OF THE ORIGINAL PERMIT; AND
- 25 (III) UPON PAYMENT OF THE PERMIT FEE.
- 26 (I) *EMERGENCY WORK.* PRIOR TO ISSUANCE OF A PERMIT, A LICENSED
27 MASTER PLUMBER, LICENSED GASFITTER, OR ON-SITE UTILITY
28 CONTRACTOR MAY UNDERTAKE EMERGENCY WORK TO CORRECT A
29 CONDITION THAT POSES AN IMMEDIATE THREAT TO THE PUBLIC
30 HEALTH AND SAFETY. THE LICENSED MASTER PLUMBER OR
31 LICENSED ON-SITE UTILITY CONTRACTOR DOING THE WORK SHALL

1 NOTIFY THE AUTHORITY HAVING JURISDICTION OF THE
2 EMERGENCY ON THE NEXT WORKING DAY AND SHALL OBTAIN A
3 PERMIT AND HAVE THE WORK INSPECTED.

4 (J) *PERMIT FEES.*

5 (1) *ADOPTION BY COUNTY COUNCIL.* FEES FOR ISSUANCE OF A
6 PERMIT FOR PLUMBING, GASFITTING, ON-SITE UTILITY WORK,
7 OR FOR THE INSPECTION OF WORK BY A HOMEOWNER
8 PERFORMING PLUMBING REPAIRS IN THEIR OWN RESIDENCE
9 SHALL BE PURSUANT TO A SCHEDULE OF FEES ADOPTED BY
10 THE COUNTY COUNCIL.

11 (2) *REINSPECTION FEES.* A REINSPECTION FEE MAY BE CHARGED
12 FOR EACH REINSPECTION IF THE WORK HAS TO BE
13 REINSPECTED BECAUSE:

14 (I) THE INSPECTOR HAD TO RETURN MORE THAN ONCE TO
15 INSPECT THE CORRECTION OF A VIOLATION OF THE
16 PLUMBING CODE;

17 (II) THE WORK WAS NOT READY FOR INSPECTION AT THE
18 TIME PREARRANGED FOR INSPECTION; OR

19 (III) THE INSPECTOR DID NOT HAVE ACCESS TO THE WORK
20 AT THE PREARRANGED TIME FOR INSPECTION.

21 (3) *REFUNDS.* A REFUND SHALL BE MADE MINUS AN
22 ADMINISTRATIVE FEE OF \$50. A REFUND REQUEST SHALL BE
23 IN WRITING.

24 (K) *APPEALS.* WITHIN 30 DAYS OF THE DATE OF THE DECISION, A
25 PERSON AGGRIEVED BY A DECISION OF THE AUTHORITY HAVING
26 JURISDICTION TO APPROVE, SUSPEND, REVOKE, EXTEND, OR DENY
27 A PLUMBING PERMIT OR A PERMIT FOR ON-SITE UTILITY WORK
28 MAY APPEAL THAT DECISION TO THE BOARD OF APPEALS HEARING
29 EXAMINER PURSUANT TO THE PROCEDURES SET FORTH IN ~~SECTION~~
30 TITLE 16, SUBTITLE 3 16-303 OF THE HOWARD COUNTY CODE.

1 **SEC. 3.306. PLUMBING ADVISORY BOARD.**

2 (A) *GENERAL PROVISIONS.* GENERAL PROVISIONS APPLICABLE TO THIS
3 BOARD ARE SET FORTH IN ~~SUBTITLE 3, "BOARDS AND~~
4 ~~COMMISSIONS"~~ OF TITLE 6, ~~"COUNTY EXECUTIVE AND THE~~
5 ~~EXECUTIVE BRANCH,"~~ TITLE 6, SUBTITLE 3 OF THE HOWARD
6 COUNTY CODE.

7 (B) *NUMBER OF MEMBERS.* THE PLUMBING ADVISORY BOARD SHALL
8 HAVE 5 MEMBERS.

9 (C) *QUALIFICATIONS.*

10 (1) ALL MEMBERS SHALL BE RESIDENTS OF HOWARD COUNTY.

11 (2) TWO MEMBERS SHALL BE LICENSED AND PRACTICING
12 MASTER PLUMBERS.

13 (3) THREE MEMBERS SHALL REPRESENT THE INTERESTS OF THE
14 PUBLIC AND SHALL NOT BE EMPLOYEES OF A PLUMBER OR
15 RECEIVE ANY PORTION OF THEIR INCOME FROM THE
16 PLUMBING BUSINESS.

17 (D) *EXECUTIVE SECRETARY.* THE DIRECTOR OF INSPECTIONS, LICENSES
18 AND PERMITS OR THE DIRECTOR'S DESIGNEE SHALL SERVE AS
19 EXECUTIVE SECRETARY TO THE BOARD AND SHALL ATTEND ALL
20 MEETINGS.

21 (E) *MEETINGS.* THE BOARD SHALL MEET AT LEAST ONCE EVERY 6
22 MONTHS OR MORE FREQUENTLY PROVIDED THE CHAIRPERSON
23 NOTIFIES THE BOARD MEMBERS AT LEAST 5 DAYS BEFORE THE
24 MEETING.

25 (F) *DUTIES AND RESPONSIBILITIES.*

26 (1) TO MAKE RECOMMENDATIONS TO THE DIRECTOR OF
27 INSPECTIONS, LICENSES AND PERMITS, THE COUNTY
28 EXECUTIVE AND THE COUNTY COUNCIL IN ALL MATTERS
29 RELATING TO THE CONDUCT OF PLUMBING BUSINESS IN
30 HOWARD COUNTY.

31 (2) TO RECOMMEND AMENDMENTS TO THE HOWARD COUNTY

1 PLUMBING AND GASFITTING CODE TO THE DIRECTOR OF
2 INSPECTIONS, LICENSES AND PERMITS.

- 3 (3) TO REVIEW AND COMMENT ON REGULATIONS CONCERNING
4 THE ADMINISTRATION AND ENFORCEMENT OF THE
5 PLUMBING AND GASFITTING CODE AND THE REGISTRATION
6 OF PERSONS ENGAGED IN THE PLUMBING BUSINESS.

7
8 **SEC. 3.307. SEVERABILITY.**

9 IF ANY PROVISION OF THIS SUBTITLE OR THE APPLICATION
10 THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID FOR ANY
11 REASON IN A COURT OF COMPETENT JURISDICTION, THE INVALIDITY
12 DOES NOT AFFECT OTHER PROVISIONS OR ANY OTHER APPLICATION OF
13 THIS SUBTITLE WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID
14 PROVISION OR APPLICATION, AND FOR THIS PURPOSE THE PROVISIONS OF
15 THIS ACT ARE SEVERABLE.

16
17 *Section 3. And Be It Further Enacted by the County Council of Howard County,*
18 *Maryland, that this Act shall become effective 61 days after its enactment.*